

The Honorable Richard A. Jones

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON; *et al.*,

NO. 2:20-cv-00111-RAJ

Plaintiffs,

ADMINISTRATIVE RECORD OF
DEPARTMENT OF STATE

v.

UNITED STATES DEPARTMENT OF
STATE; *et al.*,

FILED PURSUANT TO LOCAL
CIVIL RULE 79(h)

Defendants.

As set forth in the parties' Joint Status Report of April 21, 2020 (ECF No. 97), the parties have agreed that the administrative record for purposes of this case is not the complete administrative record of the final rules at issue in this case, but instead, the portion of that record pertaining to 3-D gun files (defined as "technical data and software directly related to the production of firearms or firearm parts using a 3D-printer or similar equipment"), as well as the record produced in Case No. 18-1115.

Consistent with the parties' agreement, Federal Defendants hereby produce the Department of Commerce's administrative record for purposes of this case.

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CERTIFICATION OF
ADMINISTRATIVE RECORD

I, Anthony Saler, pursuant to 28 U.S.C. § 1746, declare and say the following:

1. I am currently an attorney in the Office of Chief Counsel for the Bureau of Industry and Security in the Department of Commerce. I have held this position since March 2020. I am currently the Acting Chief for Policy and Legislation. In my current position, I am familiar with the Department of Commerce's administrative record for the purposes of the above-captioned litigation related to the Department of Commerce's January 23, 2020 Rule entitled *Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)* ("Rule"). The information in this certification is based upon my personal knowledge or on information provided to me in the course of my official duties.
2. Consistent with the Joint Status Report and Discovery Plan (Dkt. 97), the Department of Commerce has compiled the following Bates number range as the materials related to the Rule that "pertain to 3-D gun files": 0000001- 0082400.

3. To the best of my knowledge, the non-privileged materials contained within the Bates number range set forth in ¶ 2 constitute a true and complete copy of the Department of Commerce's administrative record for the purposes of the above-captioned litigation.

I certify under the penalty of perjury that the forgoing is true and correct.

Executed this 25th day of September, 2020.

Anthony Saler
Anthony Saler